

discloses a coating applied to a turbine blade 10. Alternating metallic and ceramic layers are applied to the substrate 11 of the blade 10. It is disclosed that the metallic layers can be titanium, zirconium, hafnium and tantalum and the ceramic layers can be a nitride of these metals. Kerber discloses a coating applied to a turbine blade 10, but does not disclose a faucet substrate as required by Applicant's claims. Kerber does not anticipate Applicant's claims, and Applicant respectfully requests that the rejection be withdrawn.

Claims 22 and 23 stand rejected under 35 U.S.C. §102(b) as being anticipated by Knudsen (U.S. Patent No. 5,724,868) and as being anticipated by Jindal (U.S. Patent No. 5,264,297). Knudsen and Jindal do not disclose a faucet having a faucet substrate and a coating including a layer of zirconium, titanium or zirconium-titanium alloy and a layer of zirconium compound, titanium compound, or zirconium-titanium alloy compound. Knudsen discloses a method of making a knife. The knife has a coating of titanium and titanium nitride, but Knudsen does not disclose a faucet substrate as required by Applicant's claims. In Jindal, a process for physical vapor deposition of a refractory coating, such as titanium, on a nonconductive substrate is disclosed. A second coating of titanium nitride is deposited on the nitride layer. Neither reference discloses a coating applied on a faucet substrate as required by Applicant's claims. Claims 22 and 23 are not anticipated in view of Knudsen and Jindal, and Applicant respectfully requests that the rejection be withdrawn.

Claims 22 and 23 stand rejected under 35 U.S.C. §102(a) as being anticipated by Starcke (U.S. Patent No. 5,853,826). Starcke does not disclose a faucet having a faucet substrate and a coating including a layer of zirconium, titanium or zirconium-titanium alloy and a layer of zirconium compound, titanium compound, or zirconium-titanium alloy compound as required by Applicant's claims. Starcke discloses a coating applied to gemstones and glass to enhance appearance. The layers can be metals, metal oxides, nitrides, sulfides and transparent carbon, including titanium, aluminum, boron, zirconium, hafnium, niobium, vanadium, tungsten, chromium, and zinc. Starcke does not disclose a faucet substrate as required by Applicant's claims, but rather discloses gemstones and glass. Starcke does not anticipate Applicant's claims, and Applicant respectfully requests that the rejection be withdrawn.

Claims 22 and 23 stand rejected under 35 U.S.C. §102(b) as being anticipated by Enomoto (Japanese Publication 4-82502). It appears from the abstract that Enomoto does not

disclose a faucet substrate as required by claims 22 and 23. However, Enomoto is entirely in Japanese, does not have an English equivalent, and does not include any figures. It is difficult to determine if the Japanese references teaches the use of a coating on a faucet substrate as required by Applicant's claims. The English abstract supplied by the Examiner is insufficient to fully understand the teaching of the Japanese reference, especially in view of the Examiner's anticipation rejections under 35 U.S.C. §102(b). See *Ex parte Gavin*, 62 USPQ2d 1680 (U.S. Patent and Trademark Office Board of Patent Appeals and Interferences, 2001).

Claims 22 and 23 stand rejected under 35 U.S.C. §102(b) as being anticipated by Momoki (Japanese Publication 61-105769). It appears from the abstract that Momoki does not disclose a faucet having a faucet substrate and a coating including a layer of zirconium, titanium or zirconium-titanium alloy and a layer of zirconium compound, titanium compound, or zirconium-titanium alloy compound as set forth in claims 22 and 23. In the abstract, Momoki discloses a coating composed of a first layer of titanium and a second layer of titanium nitride or titanium carbide layered on a magnetic disc and not on a faucet substrate as required by Applicant's claims. Momoki does not anticipate Applicant's claims, and Applicant respectfully requests that the rejection be withdrawn.

Claims 22-27 stand rejected under 35 U.S.C. §102(b) as being anticipated by Moysan (U.S. Patent No. 5,413,874), Moysan (U.S. Patent No. 5,476,724), Moysan (U.S. Patent No. 5,4184,663), Moysan (U.S. Patent No. 5,552,233), Moysan (U.S. Patent No. 5,626,972), Moysan (U.S. Patent No. 5,639,564), and Moysan (U.S. Patent No. 5,641,579). None of the Moysan references discloses a faucet having a faucet substrate having a coating including a layer of zirconium, titanium or zirconium-titanium alloy and a layer of zirconium compound, titanium compound, or zirconium-titanium alloy compound.

The Moysan patents all relate to articles having a coating. The Moysan '874, '724, '233 and '564 patents disclose an article 10 including a substrate 12 having a two-layer nickel coating 14, 16, a layer 20 on the nickel coating 14, 16, and a layer 22 of refractory metal such as hafnium, tantalum, zirconium or titanium on the layer 20. A layer 24 of a hafnium compound, tantalum compound, a titanium compound, or a zirconium compound is applied on the layer 22. In the '874 and '724 patents, the layer 20 is nickel tungsten boron alloy. In the '233 patent, the layer 20 is tin-nickel alloy. In the '564 patent, the layer 20 is a palladium alloy. Moysan '972 further discloses a chrome layer 21 disposed between a nickel tungsten boron alloy layer 20 and

the refractory metal layer 22. Moysan '663 discloses a coating on a substrate 12 including a nickel tungsten boron alloy layer 20, a refractory metal layer 22, and a metal compound layer 24. Moysan '579 discloses an article 10 including a substrate 12, nickel layers 14 and 16, a palladium strike layer 18, a palladium nickel strike layer 20, a refractory metal layer 22, and a metal compound layer 24. None of these references disclose a faucet substrate as required by Applicant's claims. These references also do not disclose a zinc or aluminum substrate as claimed in new claims 32-41. None of the Moysan references anticipate Applicant's claims, and Applicant respectfully requests that the rejection be withdrawn.

Thus, claims 22-41 are in condition for allowance. No additional fees are seen to be required. If any additional fees are due, however, the Commissioner is authorized to charge Deposit Account No. 50-1482, in the name of Carlson, Gaskey & Olds, P.C., for any additional fees or credit the account for any overpayment. Therefore, favorable reconsideration and allowance of this application is respectfully requested.

Respectfully Submitted,

**CARLSON, GASKEY & OLDS, P.C.**

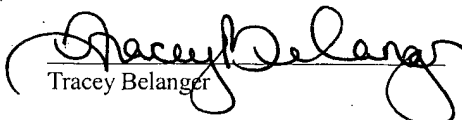


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**CERTIFICATE OF MAIL**

I hereby certify that the enclosed Response is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Assistant Commissioner of Patents, Washington D.C. 20231 on this 23<sup>rd</sup> day of January 2003.



Tracey Belanger

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**VERSION WITH MARKINGS TO SHOW CHANGES MADE****CLAIMS**

22. (AMENDED) A faucet [An article] having a coating on at least a portion of a [its] surface of said faucet, said faucet comprising: [a coating consisting essentially of, in order]:

a faucet substrate; and

a coating including a strike layer on said faucet substrate consisting essentially of zirconium, titanium or zirconium-titanium alloy on said surface,[,] and a layer on said strike layer consisting essentially of zirconium compound, titanium compound, or zirconium-titanium alloy compound on said strike layer.